IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.315 OF 2006
IN
CRIMINAL APPEAL NO. 274 OF 2006

Dilip Dattatraya Gaikwad & Anr. ....Applicants.

V/s

State of Maharashtra ....Respondent.

Mr. S.S. Salunkhe for the applicants.
Ms. S.D. Shinde, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 18th March, 2006

P.C.:

1. Heard the learned counsel for the applicants and the learned APP for the State.

2. This is an application for temporary bail for attending the obsequious ceremony of the father of the applicants who expired on 12/3/2006. It is submitted that the obsequious ceremony pertaining to the 10th day is going to be held on 21/3/2006 and the applicant No.1 being the son of the deceased and applicant No.2 being his daughter-in-law would like to attend the said ceremony.

3. The applicants were convicted by the Sessions Court for the offence punishable under section 498A

read with section 306 read with section 34 of the Indian Penal Code. The appeal against the said order is admitted. The regular bail application, however is pending since the Court has called for the record and proceedings.

4. Today, this application has been preferred before this Court since the regular Court (Coram: R.S. Mohite, J.) is not available and an order has been passed by the Hon'ble Chief Justice permitting the urgent applications to be made before this Court. The applicants have annexed death certificate. Considering the fact that the father of applicant No.1 has died, in my view, the applicants may be permitted to attend the obsequious ceremony on 21/3/2006. The applicants, however, shall be taken to their village in police escort. They shall pay expenses of police escort. They shall be taken back to the jail by the escort in the evening of 21/3/2006.

5. Application is accordingly disposed of.

V.M. KANADE, J.